REMARKS

Claims 12-28 were pending in the present application. Claims 13, 15-17 and 22-24 have been canceled herein without prejudice to their presentation in another application. Claims 12-14 and 21 have been amended herein, support for which can be found throughout the specification. New claims 29 and 30 have been added herein, support for which can be found at, for example, canceled claim 16 and throughout the specification. New claims 31 and 32 have also been added herein, support for which can be found at, for example, page 12, lines 22-25 of the specification. No new matter has been added. Upon entry of the present amendment, claims 12, 14, 18-21, and 25-32 will be pending.

I. The Claimed Invention Is Novel

A. Claim 12

Claim 12 is rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Canadian Application No. 2,093,495 (hereinafter, the "Fujisawa reference"). Applicants traverse the rejection and respectfully request reconsideration in view of amended claim 12.

Claim 12 has been amended to recite that the peptide "is conjugated to a carrier protein," support for which can be found at, for example, canceled claim 13. Applicants are unable to locate any portion of the Fujisawa reference that reports that the protein reported therein is conjugated to a carrier protein.

Thus, the Fujisawa reference does not teach every feature recited in claim 12. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §102(b) be withdrawn.

B. Claims 14, 16, 19-21, 23 and 26

Claims 14, 16, 19-21, 23, and 26 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by International Publication WO 95/09186 (hereinafter, the "Vinson reference"). Applicants traverse the rejection and respectfully request reconsideration.

A reference is anticipatory under §102(b) when it satisfies particular requirements. First, the reference must disclose each and every element of the claimed invention, whether it does so

explicitly or inherently. *Eli Lilly & Co. v. Zenith Goldline Pharms., Inc.*, 471 F.3d 1369 (Fed. Cir. 2006). Second, the reference must "enable one of ordinary skill in the art to make the invention without undue experimentation." *Impax Labs, Inc. v. Aventis Pharms, Inc.*, 545 F.3d 1312, 1314 (Fed. Cir. 2008); *see In re LeGrice*, 301 F.2d 929 (C.C.P.A 1962).

The Office asserts that the Vinson reference teaches "a method of using an antibody for the treatment of diseases, such as breast cancer comprising the administration of an antibody that is specific for angiotensin II type-1 receptor, wherein the antibody is the one designated by the accession number 93072117" (see, Office Action at page 7). Applicants respectfully submit that the Office misunderstands the teachings of the Vinson reference. In particular, the only mention of a monoclonal antibody in regard to cancer in the Vinson reference is a brief passage at page 5, lines 1-5 where Vinson reports "the antibody may be useful in the cancer *diagnostic* field." (emphasis added). Thus, there is no disclosure of using any antibody, let alone those described in Applicants' specification, for *treatment* of cancer. In addition, the Vinson reference provides no further guidance on how to use any antibody for any treatment of cancer. Indeed, the examples set forth in the Vinson reference are not ones whereby cancer was treated. Thus, the Vinson reference fails to meet the first and second requirements of anticipation, as described above.

Applicants also remind the Office of the conclusions drawn in the International Preliminary Examination Report, whereby the Office stated:

> The claims of the present application meet the requirements set forth in Article 33(2) PCT because none of the available prior art documents describe the use of a monoclonal antibody directed against the N-terminal portion of the angiotensin II type-1 receptor in the preparation of a medicament for either the treatment of cancer or for the treatment of vascular smooth muscle cell proliferation. Neither does the prior art teach the use of the N-terminal portion of the angiotensin II type-1 receptor as a vaccine.

Thus, the Vinson reference does not teach every feature recited in claims 14, 16, 19-21, 23, and 26. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §102(b) be withdrawn.

II. The Claimed Invention Is Sufficiently Enabled

A. Claims 12 and 13

Claims 12 and 13 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to provide an enabling disclosure. Although Applicants disagree with the position of the Office that it would require undue experimentation for one skilled in the art to practice the claimed invention in regard to vaccine compositions, solely to advance prosecution of the present application, claims 12 and 13 have been amended, as suggested by the Office at page 4 of the Office Action, to recite "A composition." Thus, there is no reason to believe that one skilled in the art would be required to perform any amount of undue experimentation to make and use the claimed invention. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

B. Claims 12-28

Claims 12-28 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to provide an enabling disclosure. The Office recognizes that the claims are enabled for "a composition comprising a sequence of SEQ ID NO: 1 or a method of treating cancer or disease comprising the administration of an antibody directed against SEQ ID NO:1 or 2…" (see, page 5 of the Office Action). The Office, however, asserts that it would require undue experimentation to practice the claimed invention in regard to "a vaccine composition comprising fragments of SEQ ID NO: 1 or methods of treating cancer or disease comprising the administration of an antibody directed against conservative mutants of, active fragments of SEQ ID No: 1 or 2…" (see, page 5 of the Office Action). Although Applicants disagree with the position of the Office, solely to advance prosecution of the present application, the claims have been amended to remove reference to peptide fragments and conservative mutants. Thus, there is no reason to believe that one skilled in the art would be required to perform any amount of undue experimentation to make and use the claimed invention. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §112, first paragraph be withdrawn.

III. Conclusion

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. An early notice of the same is earnestly solicited. The Office is invited to contact Applicants' undersigned representative at 610.640.7859 if there are any questions regarding Applicants' claimed invention.

The Commissioner is hereby authorized to debit any underpayment of fee due or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

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Date: **2 April 2009**

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